

ance clause or provision shall be used.

Sec. 2. The fact that property owners under the existing law are denied the freedom to contract in the buying of insurance against loss by fire, and as a result are compelled to pay more for such insurance than would be required with freedom to contract, creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days in each house be suspended, and that the constitutional rule as to the time an Act shall take effect be suspended, and each of said rules are suspended, and this Act shall take effect and be enforced from and after its passage.

Proposed Amendments to Senate Bill No. 149.

Amend S. B. No. 149 by striking out the words "that such applicant supported the nominees of said political party at the General Election next preceding such Primary Election," and inserting in lieu thereof the following: "That such applicant supported the nominees of said political party at each of the four General Elections next preceding such Primary Election."

Also amend Section 1a of the bill by striking out the words "At the General Election next preceding such Primary," and inserting in lieu thereof the following: "At each of the four General Elections next preceding such Primary Elections."

Also amend S. B. No. 149 by adding a new section to be known as Section 2a, reading as follows:

"Section 2-a. It shall be unlawful for any voter to vote at any Party Primary Election in this State who is not lawfully entitled to have his name printed on the ballot in such Primary Election as a candidate for any office which he is lawfully eligible to fill."

LOVE.

TWENTY-FOURTH DAY.

(Continued.)

After Recess.

Senate Chamber,

Austin, Texas, Feb. 9, 1929.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called

to order by Lieutenant Governor Barry Miller.

Bills and Resolutions

By Senator Hornsby:

S. B. No. 478 A bill to be entitled "An Act to amend Article 725, Revised Civil Statutes of Texas, 1925, so as to authorize the refunding of county road bonds and road district bonds, and declaring an emergency."

The bill was read first time and referred to committee on State Highways and Motor Traffic.

By Senator Hyer:

S. B. No. 479 A bill to be entitled "An Act to amend Article 5053, R. S. 1925, relating to discrimination and other practices in connection with the sale of life insurance policies, so as to better regulate the sale of stocks, bonds and other securities in connection with life insurance policies, and declaring an emergency."

The bill was read first time and referred to Committee on Insurance.

By Senator Berkeley, by request.

S. B. No. 480 A bill to be entitled "An Act to provide a complete educational system commonly known as the County Unit System for Kinney County, Texas; setting forth the general administration of the schools of such County under a County board of education; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Educational Affairs.

By Senators Beck and Moore.

S. B. No. 481, A bill to be entitled "An Act to accept the benefits and provisions of the Act of Congress authorizing the extension of Federal Aid for construction of toll bridges on the highways included in the Federal System, under certain conditions and limitations, 44 United States Statute 1398, approved March 3, 1927, etc., and declaring an emergency."

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senators Thomason and Patton:

S. B. No. 482 A bill to be entitled "An Act providing for dairy research work and soil research and cooperative fertilizer experiments to

be carried on through two sub-experiment stations in East Texas under the direction of the A. & M. College experiment station; making an appropriation for same; and declaring an emergency."

The bill was read first time and referred to Committee on Agriculture.

By Senator Thomason:

S. B. No. 483 A bill to be entitled "An Act creating a special road law for Cherokee County, Texas, requiring surety bonds of road overseers, containing provision that said County may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1929, setting forth the method of said operation, and declaring an emergency."

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Cousins, by request:

S. B. No. 484 A bill to be entitled "An Act to amend Sec. 2 of Art. 8306, Title 130, Revised Civil Statutes of Texas, with reference to Workmen's Compensation Law, by omitting therefrom the words "farm laborers," and declaring an emergency."

The bill was read first time and referred to Committee on Labor.

Senate Bill No. 388.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 388, A bill to be entitled "An Act amending Article 879g as amended by Chapter 215, of the General and Special Laws of the Regular Session of the Legislature so as to close the deer season in certain counties, and declaring an emergency."

The Committee report was adopted.

The bill was read second time.

Senator Small sent up the following amendment:

Amend S. B. No. 388 by striking out everything below the Caption and adding in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. That for five years from and after the passage of this Act, it shall be unlawful for any

person to shoot at, or kill, any wild deer in Hemphill, Roberts, or Hutchinson Counties.

Sec. 2. That whosoever shall violate the provisions of this Act shall be guilty of misdemeanor and upon conviction thereof shall be fined not less than One Hundred (\$100.00) Dollars and not more than Two Hundred (\$200.00) Dollars, provided each deer so shot shall constitute a separate offense.

Sec. 3. The fact that deer have almost been exterminated in these counties mentioned herein, creates an emergency and an imperative public necessity demanding the suspension of the Constitutional rule requiring all bills to be read on three several days in each House, and that it shall take effect from and after its passage, and it is so enacted.

The amendment was read and adopted.

Senator Small sent up the following amendment:

Amend S. B. No. 388 by striking out the caption and inserting in lieu thereof the following caption:

"A bill to be entitled, An Act making it unlawful to shoot at, or kill, any wild deer in Hemphill or Roberts or Hutchinson Counties, and providing a penalty, and declaring an emergency."

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. 388 was put on its third reading and final passage, by the following vote :

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Witt.
Love.	Wirtz.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Holbrook.
---------	-----------

Pollard. Williamson.
Westbrook.

Absent—Excused.

Greer. Neal.
Miller.

The bill was read third time and finally passed.

Senate Bill No. 266.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 266, A bill to be entitled "An Act creating a more efficient road system for Dickens county, Texas; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 266 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Miller.
Neal.	

The bill was read third time and finally passed.

Senate Bill No. 270.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 270, A bill to be entitled "An Act to amend Chapter 28 of the local and special laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being

a special road law for Childress County, by adding thereto Section 2a, authorizing the commissioners' court of Childress county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners' court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 270 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Absent.

Gainer.	Pollard.
Holbrook.	Williamson.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Senate Bill No. 279.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 279, A bill to be entitled "An Act to amend Chapter 59 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session, in 1915, as amended by Chapter 51, Special Laws enacted

by the Thirty-ninth Legislature at its First Called Session, in 1926, same being a special road law for Wise county, by adding thereto Section 12b, authorizing the Commissioners' court of Wise county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 279 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Senate Bill No. 306.

The Chair laid before the Senate on second reading, the following bill:

S. B. No. 306, A bill to be entitled "An Act creating a special road law for Crosby county, Texas, requiring surety bonds of road overseers, containing provision that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1929, setting forth the method of said operation and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 306 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Senate Bill No. 320.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 320, A bill to be entitled "An Act creating a more efficient road system for Hemphill county, Texas, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 320 was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Hornsby.
Berkeley.	Hyer.
Cousins.	Love.
Cunningham.	Martin.
DeBerry.	McFarlane.
Gainer.	Moore.
Hardin.	Parr.

Parrish.	Thomason.
Patton.	Wirtz.
Russek.	Witt.
Small.	Woodul.
Stevenson.	Woodward.

Absent.

Holbrook.	Westbrook.
Pollard.	Williamson.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Senate Bill No. 336.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 336, A bill to be entitled "An Act creating a more efficient road system for Bell county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners' court; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hardin, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 336 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Senate Bill No. 389.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 389, A bill to be entitled "An Act creating a more efficient road system for Motley county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 389 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Senate Bill No. 405.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 405, A bill to be entitled "An Act creating a more efficient road system for Jeff Davis county, Texas, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 405 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Feb 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the following have been appointed on the part of the House to go to Meridian, by authority of S. C. R. No. 14.

Holder, Webb, Reid, Giles, Long of Houston, Mrs. Moore, Smith of Smith.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following resolution:

H. C. R. No. 17, Recalling S. C. R. No. 19, from the Senate for the further consideration of the House.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 26.

Senator Love called up from the table the following bill:

S. B. No. 26, A bill to be entitled "An Act providing additional compensation for the chief deputy clerk for the Courts of Civil Appeals of this State to be paid from fees collected by the clerks of said courts, and declaring an emergency."

The bill was read second time.

Senator McFarlane raised the point of order that a bill covering the same points involved in this bill had been killed in the Committee on Civil Jurisprudence and that this bill was not subject to discussion. The point of order was overruled.

Senator Love sent up the following substitute bill:

Amend S. B. No. 26, by striking out all after the enacting clause, and inserting in lieu thereof, the following:

"Section 1. Each clerk of a court of civil appeals, each chief deputy clerk and each stenographer in the office of any such clerk shall receive such compensation, in addition to the salary prescribed by law, as the court may allow, to be paid from fees collected by the clerk of said court, but in no event shall the salary plus the additional compensation exceed the following:

Clerk, \$4,000.00 per year.

Chief deputy clerk, \$200.00 per month.

Stenographer, \$1,800.00 per year.

Provided, however, that the clerk or chief deputy clerk may be allowed by the court for any year the supreme court directs, the transfer of cases from said court to other courts, as provided by law, additional compensation for the extra services that may be rendered incidental to said transfer, a sum not exceeding \$300.00 per year to be paid monthly from the fees collected by the Clerk of said Court, who is hereby authorized to pay same if and when approved by the Court.

Sec. 2. It shall be the duty of the Clerk of each Court of Civil Appeals as soon as any opinion is rendered by the Court of Civil Appeals to immediately mail free of charge, a copy of said opinion to each party to the suit or proceeding.

Sec. 3. The fact that the changes in the law herein made relating to the work and compensation of Clerks of Courts of Civil Appeals and those employed in their offices should take place as soon as possible, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended and it is so enacted."

Amend caption to Senate Bill No. 26 to read as follows:

**A BILL
TO BE ENTITLED**

An Act providing for certain compensation of clerks, chief deputies and stenographers of Courts of Civil Appeals, to be paid out of fees of office; prescribing the maximum that may be allowed; requiring clerks of courts of Civil Appeals to promptly mail to each party to a suit or proceeding, free of charge, a copy of each opinion rendered by the Court; and declaring an emergency.

Senator McFarlane raised the point of order that the substitute bill was out of order because it changed the purposes and conditions of the original bill. The point of order was overruled.

On motion of Senator Wirtz, the previous question was ordered on the bill as substituted.

The bill as substituted passed to engrossment.

On motion of Senator Love the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 26 was put on its third reading and final passage, by the following vote:

Yeas—22.

Beck.	Hyer.
Berkeley.	Love.
Cousins.	Martin.
DeBerry.	McFarlane.
Hardin.	Moore.
Hornsby.	Parr.

Parrish.	Thomason.
Patton.	Wirtz.
Russek.	Witt.
Small.	Woodul.
Stevenson.	Woodward.

Nays—1.

Cunningham.

Absent.

Gainer.	Westbrook.
Holbrook.	Williamson.
Pollard.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed by the following vote:

Yeas—20.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Russek.
Hardin.	Small.
Hornsby.	Stevenson.
Hyer.	Thomason.
Love.	Wirtz.
Martin.	Witt.
Moore.	Woodul.
Parr.	Woodward.

Nays—2.

DeBerry.	McFarlane.
----------	------------

Absent.

Cunningham.	Pollard.
Gainer.	Westbrook.
Holbrook.	Williamson.

Absent—Excused.

Greer.	Neal.
Miller.	

H. C. R. No. 17.

• The chair laid before the Senate the following resolution:

H. C. R. No. 17, recalling S. C. R. No. 19 from the Senate for further consideration by the House.

Read and adopted.

H. J. R. No. 6.

Senator Woodward received unanimous consent to take up out of its regular order the following resolution:

H. J. R. No. 6, Proposing an amendment to the Constitution of

the State of Texas, providing for a Supreme Court of nine members, and for continuous session of the court.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Williamson.
Westbrook.	Pollard.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 299.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 299, A bill to be entitled "An Act regulating the transportation of cattle, hogs, goats and sheep by truck and motor vehicle and providing that all persons transporting cattle, hogs, sheep and goats by truck or motor vehicle must first secure a permit from the Sheriff of the County in which said shipment originated; providing fees to the Sheriff for issuance of said permit and requiring the driver of said truck or motor vehicle to carry and retain said permit in his possession until said cattle reach their destination and providing further that any Sheriff, Constable, or other peace officer may at any time or at any place, stop and demand and receive said permit for inspection, as well as the right to inspect said livestock so being transported and making the duty of said Sheriff, Constable or other peace officer to inspect every truck or motor vehicle, containing livestock being transported which said officer sees and providing penalties for the violation thereof."

The bill was read second time.

Senator Love sent up the following amendment.

Amend the bill by adding Section 1A,

"This Act shall not apply to Dallas County."

LOVE.

The amendment was read.

On motion of Senator McFarlane, the bill was laid on the table subject to call.

S. J. R. No. 2.

Senator Love received unanimous consent to take up out of its regular order the following resolution:

S. J. R. No. 2, Proposing to amend the Constitution of the State of Texas by adopting a new section which shall provide that the supreme court of Texas may sit at any time during the year for the transaction of business, and that its terms shall begin and end with each calendar year, and repealing existing provisions in conflict therewith.

The Committee amendments were adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 316.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 316, A bill to be entitled "An Act authorizing any county having taxable values of two hundred ninety million dollars or more according to the latest approved tax rolls of the county to spend not to exceed \$15,000.00 in any one year out of the general fund of the county for any purpose coming within the authority of the commissioners' court of the county under the laws of this State relative to reclamation or conservation; and declaring an emergency."

The Committee substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. 316 was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Pollard.	Williamson.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Pollard.	Williamson.

Absent—Excused.

Greer.	Neal.
Miller.	

H. B. No. 459.

Senator Parr received unanimous consent to take up out of its regular order the following bill:

H. B. No. 459, A bill to be entitled "An Act to create Hidalgo County Water Control and Improvement District No. 6, in Hidalgo County, Texas; etc., and declaring an emergency."

The rule requiring Committee reports to lie over one day was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 459 was put on second reading, by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 459 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read third time and finally passed by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

S. B. No. 368 Postponed.

On motion of Senator Parr further consideration of S. B. No. 368, which was the same bill as H. B. No. 459, was indefinitely postponed.

S. C. R. No. 22.

Senator Witt sent up the following resolution:

By Witt, Small, S. C. R. No. 22.
Woodward, Hyer.

SENATE CONCURRENT RESOLUTION.

Whereas, the State of Texas is at this time the largest and greatest in volume of all the States of the Union in the production of crude oil, and

Whereas, hundred of land owners, and royalty owners, and oil operators, and dealers in both raw and refined products of oil produced in this State are vitally affected by all things that might adversely affect the oil industry or the market conditions of this great industry, and

Whereas, the University of the State of Texas owns and controls vast acres and bodies of land much of which has been proven and is now producing large quantities of oil from the sale of which this

State and the University of this State receive large financial benefit and should receive much more if stabilized marketing conditions can be secured and maintained, and

Whereas, citizens, land owners, royalty owners, oil producers, oil refiners, oil operators and many workers in this vast industry are cognizant and complain of market conditions asserted to be due to over production, and

Whereas, the imports of duty-free, foreign produced crude oil and its products received in the United States during 1928 amounted to Ninety-One Million (91,000,000) barrels, and

Whereas, such great quantities of oil are produced under conditions and at low prices, in foreign countries, that owners and producers in the United States cannot fairly compete with it at prevailing domestic market prices, and

Whereas, West Texas Crude Oil is now being sold for an approximate average of Sixty-Five cents (65c) per barrel because of the millions of barrels of duty free oil being imported into the United States each month, and

Whereas, the imposition of a reasonable and just tariff on oil and its products, either per barrel or per ton to cover the products of same is apparently the urgent need of the immediate present for relief from these conditions complained of, and

Whereas, there has been introduced in the records of the Ways and Means Committee, (being a joint committee of the United States Senate and House) a request by Congressman Howard, of Oklahoma, whereby it is sought to include oil in the tariff revision schedule now under consideration; and asking that a tariff of \$1 per barrel or its equivalent in tons be placed upon the importations of foreign crude oil and its products, and

Whereas, such duty, or tariff, if enacted would undoubtedly bring about much desired relief from oppressive market conditions to land owners, royalty owners, lease owners, operators, marketers, and in fact many hundreds of citizens of this State, including also certain State institutions that would receive greatly increased wealth from higher prices for crude oil, and

Whereas, the hearing before the said Ways and Means Committee to act upon the request of Congressman Howard for an import duty on crude oil has been set for consideration February 20th, 21st and 22nd, of this present year,

Now therefore be it resolved, that the Senate of Texas, the House of Representatives concurring, hereby memorializes and requests the hearty endorsement and active support of each of its United States Senators and its Congressmen in securing the inclusion of crude oil in the tariff revision schedule heretofore mentioned; and

Be it further resolved that the secretary of the Senate be and he is hereby instructed to forward a copy of this resolution to each member of the United States Senate and House, immediately following its passage.

The resolution was read.

Senator Love moved to refer the resolution to the Committee on Federal Resolutions.

Senator Witt moved to table the motion. The motion to table was lost.

The motion to refer prevailed.

Committee Appointed.

The Chair announced the appointment of the following committee to go to Meridian College in accordance with S. C. R. No. 14:

Senators Moore, Russek, Hyer, Martin, Miller.

Senate Bill No. 411.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 411, A bill to be entitled "An Act regulating the making of bonds by depositories of school funds in independent school districts which embrace within their boundaries, cities having a population of 75,000 or more according to the United States Census of 1920, and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hyer the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 411 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed.

Senate Bill No. 355.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 355, A bill to be entitled, "An Act amending Section 25 of Chapter 122, of the General Laws of the Regular Session of the Thirty-ninth Legislature, relating to tick eradication among live stock, so as to include Cherokee, Rusk, Panola and Nacogdoches Counties in that territory in which systematic tick eradication work is carried on and provided for, the purpose of this Act being to add said counties to that territory described in said Act as being west of the Brazos River and north and west of a line described in the Act as running from the northwest corner of Robertson County to the southeast corner of Harrison County as set out in detail in Section 25 of said Act as it now exists, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and S. B. 355 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Patton.
Gainer.	Pollard.
Hardin.	Russek.
Hornsby.	Small.
Hyer.	Stevenson.
Love.	Thomason.
Martin.	Wirtz.
McFarlane.	Witt.
Moore.	Woodul.
Parr.	Woodward.
Parrish.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

Read the third time and finally passed.

Senate Bill No. 253.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 253, A bill to be entitled "An Act amending Article 5196 of the Revised Civil Statutes of Texas, 1925, so as to define blacklisting, to define discrimination against persons seeking employment, to require statements in writing from corporations and receivers to employees voluntarily leaving their employment and requiring further that copies of statements shall be given to employees who have lost or are otherwise deprived of the use of the originals, prescribing what facts shall be set out in all such statements, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 253 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Martin.
Berkeley.	McFarlane.
Cousins.	Moore.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Hardin.	Pollard.
Hornsby.	Russek.
Hyer.	Small.
Love.	Stevenson.

Thomason.	Woodul.
Wirtz.	Woodward.
Witt.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed.

Recess.

On motion of Senator Woodward, the Senate, at 11:55 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate was called to order at 2 o'clock p. m., pursuant to recess, by Lieut. Gov. Barry Miller.

Special Order Set.

On motion of Senator Martin, S. B. No. 149 was made special order for Wednesday morning after the morning call.

Senate Bill No. 451.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 451, A bill to be entitled "An Act determining and fixing the annual salary of the County Superintendent of Public Instruction of Liberty County, Texas; providing for the payment of said salary; providing for the payment of office expense, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 451 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Love.
Berkeley.	Martin.
Cousins.	McFarlane.
Cunningham.	Moore.
DeBerry.	Parr.
Gainer.	Parrish.
Hardin.	Patton.
Hornsby.	Pollard.
Hyer.	Russek.

Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.
Wirtz.	

Absent.

Holbrook.	Williamson.
Westbrook.	

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed
by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 448.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Parr:

S. B. No. 448, A bill to be entitled
"An Act to provide more adequate
compensation for County Judges in
counties which have voted road and
bridge bonds amounting to six mil-
lion dollars or more, and in addition
flood protection bonds amounting to
one million dollars or more, and pro-
viding for the employment of a sten-
ographer for such judges, and de-
claring an emergency."

The Committee report was adopted.

The bill was read second time and
passed to engrossment.

On motion of Senator Parr, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 448 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Wirtz.
Russek.	Westbrook.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed
by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Hardin.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

House Bill No. 213.

Senator Parrish received unani-
mous consent to take up out of its
regular order the following bill:

By Mr. Rountree:

H. B. No. 213, A bill to be entitled
"An Act amending Section 1 of Chap-
ter 22 of the Acts of the Fortieth
Legislature, first called session, by
changing the term and time of hold-
ing District Court in the County of
Cochran, in the Seventy-second Judi-
cial District of Texas, and declaring
an emergency."

The rule requiring Committee reports to lie over one day was suspended.

The Committee report was adopted.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 213 was put on its second reading, by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Parr.
Miller.	

The bill was read second time and passed to third reading.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 213 was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

House Bill No. 231.

Senator Parrish received unanimous consent to take up out of its regular order the following bill:

By Mr. Rountree and Mr. Metcalfe:
H. B. No. 231, A bill to be entitled "An Act amending Chapter 255 of the Acts of the Fortieth Legislature, at its regular session, by providing that the Counties of Dawson and Howard shall be a part of the Eleventh Supreme Judicial District, and removing said counties from the Eighth Supreme Judicial District, and providing for the appeal of cases from Dawson and Howard Counties to the Court of Civil Appeals for the Eighth Supreme Judicial District prior to September 1, 1929, and for the appeal of cases from Dawson and Howard Counties to the Court of Civil Appeals for the Eleventh Supreme Judicial District subsequent to September 1, 1929."

The rule requiring Committee reports to lie over one day was suspended.

The Committee report was adopted.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 231 was put on its second reading by the following vote:

Yeas—24.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Parrish.
Gainer.	Patton.
Hardin.	Pollard.
Hornsby.	Small.
Hyer.	Stevenson.
Love.	Thomason.
Martin.	Williamson.
McFarlane.	Witt.
Moore.	Woodul.
Parr.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time and passed to third reading.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 231 was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Hyer.
Berkeley.	Love.
Cousins.	Martin.
Cunningham.	McFarlane.
DeBerry.	Moore.
Gainer.	Parr.
Hardin.	Parrish.
Hornsby.	Patton.

Pollard.	Williamson.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 361.

Senator Parrish received unanimous consent to take up out of its regular order the following bill:

S. B. No. 361, A bill to be entitled "An Act repealing H. B. No. 573, Chapter 96, Page 388 of the local and special laws of the Regular Session of the Thirty-fifth Legislature, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 361 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Hardin.	Patton.
Hornsby.	Pollard.
Hyer.	Small.
Love.	Stevenson.
Martin.	Thomason.
McFarlane.	Williamson.
Moore.	Witt.
Parr.	Woodul.
Parrish.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 462.

Senator Parrish received unanimous consent to take up out of its regular order the following bill:

S. B. No. 462, A bill to be entitled "An Act authorizing the District Attorney of the Seventy-second Judicial District to appoint one Assistant District Attorney for a term of two years; prescribing the qualifications and duties of such assistant; fixing said assistant's salary, and declaring an emergency."

The rule requiring Committee reports to lie over one day was suspended.

The Committee report was adopted.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 462 was put on its second reading by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 462 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Motion to Recommit.

On motion of Senator Hardin, S. B. No. 140 was recommitted to the Committee on State Affairs.

Motion to Set Special Order.

Senator Berkeley moved that S. B. No. 351 be set as third special order Monday morning after the morning call. The motion prevailed.

House Bill No. 479.

Senator Parr received unanimous consent to take up out of its regular order the following bill:

By Mr. Montgomery and Mr. Hornaday:

H. B. No. 479, A bill to be entitled "An Act to create Hidalgo and Cameron Counties Water Control and Improvement District No. 9 in Hidalgo and Cameron Counties, Texas, validating and approving all orders made by the Board of Water Engineers of the State of Texas in respect to the original organization of said district as a water control and improvement district under Section 59 of Article 16 of the Constitution of the State of Texas; validating an order passed by the board of directors of said district on the 12th day of December, 1927."

The rule requiring Committee reports to lie over one day was suspended.

The Committee report was adopted.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 479 was put on its second reading by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Small.
Gainer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent.

Holbrook.	Wirtz.
Russek.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time and passed to third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 479 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Greer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Gainer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 317.

Senator Moore moved to take up out of its regular order the following bill:

S. B. No. 317, A bill to be entitled "An Act amending Articles 1595 and

1600 of the Revised Civil Statutes of 1925, as amended, providing that no county seat situated within five miles of the geographical center of any county shall be removed except by a vote of two-thirds of all the electors in said county voting on the subject, etc., and declaring an emergency."

The motion prevailed by the following vote:

Yeas—22.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hyer.	Thomason.
Love.	Williamson.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Present—Not Voting.

Cousins.

Absent.

Holbrook.	Westbrook.
Hornsby.	Wirtz.
Russek.	

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time.

Senator Moore sent up the following amendments:

Amendment No. 1, S. B. 317.

Amend Section 1, Line 23, by add after the figure "5" the following: "As amended by H. B. No. 103 Acts of the Fortieth Legislature, First Called Session, 1927."

Read and adopted.

Amendment No. 2, S. B. No. 317.

Amend the caption of S. B. No. 317 to conform to the body of the bill.

MOORE.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 317 was put

on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—22.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Martin.	Woodul.
McFarlane.	Woodward.

Nays—2.

Love.	Witt.
-------	-------

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 483.

Senator Thomason received unanimous consent to take up out of its regular order the following bill:

S. B. No. 483, A bill to be entitled "An Act creating a special road law for Cherokee County, Texas, requiring surety bonds of road overseers, containing provision that said County

may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1929, setting forth the method of said operation, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended.

The Committee report was adopted.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 483 was put on its second reading by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time and passed to engrossment.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 483 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

House Concurrent Resolution No. 12.

Senator Hornsby called up from the table the following resolution:

H. C. R. No. 12. Providing for the investigation of purchase of land for State Juvenile School at Gatesville, Texas.

Read and adopted.

The Chair appointed the following on the part of the Senate:

Senators Hardin and Hyer.

Senate Bill No. 348.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 348, A bill to be entitled "An Act amending Article 978e of the State of Texas making it unlawful to buy, sell, possess or transport for the purpose of sale, barter or exchange, any fresh water crappie or bass within the State of Texas, prescribing penalties, but exempting from the provisions hereof fresh water crappie or bass propagated and raised in private ponds or lakes having no outlet or inlet into any of the public streams or waters of this State and not subject to overflow from rivers or other streams within the borders of this State."

The Committee amendments were adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 348 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Smith.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 384.

Senator Witt received unanimous consent to take up out of its regular order the following bill:

S. B. No. 384, A bill to be entitled "An Act to validate organization of

certain independent school districts and validating the board of trustees of same, and providing that they shall have the powers conferred by the laws of this State applicable to such district, and validating all proceedings and acts of same heretofore taken and had as authorized and sold and now outstanding of said district, and declaring an emergency."

Read second time.

Senator Witt sent up the following amendments:

Amendment to S. B. No. 384.

By Witt:

Amend S. B. No. 384 by renumbering additional sections and adding a new section to be numbered Section 2, and to read as follows:

"Section 2. All common school districts, consolidated districts, rural high school districts and independent school districts, whether created by general or special law, in this State, heretofore laid out and attempted to be established by the proper officers of any county or by the Legislature of the State of Texas, and heretofore recognized by either State or county authorities as school districts are hereby validated in all respects as though they had been duly and legally established in the first instance."

Read and adopted.

Amendment to S. B. No. 384.

By Witt:

Amend the caption to S. B. No. 384 by inserting before the words "and declaring an emergency" the following: "also validating the creation of all common school districts, consolidated districts, rural high school districts and independent school districts heretofore laid out."

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 384 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Hardin.
Cunningham.	Hornsby.

Hyer.	Pollard.
Love.	Small.
Martin.	Stevenson.
McFarlane.	Thomason.
Moore.	Williamson.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed
by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 258.

The Chair laid before the Senate
on its second reading the following
bill:

S. B. No. 258, A bill to be entitled
"An Act making an appropriation to
remove the remains of certain Texas
heroes and providing for monuments
for such heroes, and declaring an
emergency."

The bill was read second time and
passed to engrossment.

On motion of Senator Love, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 258 was put
on its third reading and final pas-
sage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed
by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

House Bill No. 358.

Senator Parr received unanimous
consent to take up out of its regular
order the following bill:

By Mr. Johnson of Dimmitt, Mr.
Stevenson and Mr. Petsch:

H. B. No. 358, A bill to be entitled
"An Act to amend Subdivision 38 of
Article 199, Title 8, Revised Statutes
of 1925, and providing for changing
and prescribing terms and times for
holding the courts in the counties
composing the Thirty-eighth Judicial
District of Texas."

The rule requiring Committee reports to lie over one day was suspended.

The Committee report was adopted.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 358 was put on its second reading by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

The bill was read second time and passed to third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 358 was put on its third reading and final passage by the following vote:

Yeas—24.

Berkeley.	Moore.
Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer.	Neal.
Miller.	

Senate Bill No. 319.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 319, A bill to be entitled "An Act to amend Article 2943 of Chapter 3, Title 50, of the Revised Civil Statutes of Texas of 1925; regulating the pay of judges and clerks of general and special elections, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 319 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Holbrook.	Westbrook.
Russek.	Wirtz.

Absent—Excused.

Greer. Neal.
Miller.

Read third time and finally passed.

Adjournment.

On motion of Senator Woodward, the Senate, at 4 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

Petitions and Memorials.

January 10, 1929.

Senator Margie E. Neal, Representative James E. Heaton:

We, the undersigned citizens of Panola County, Texas, request that you endeavor to make it unlawful to set steel traps or any other traps of torture in Panola County.

Respectfully,
(Numerously Signed.)

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Feb. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: we, your Committee on Engrossed Bills, have had S. B. No. 236 carefully examined and compared, and find the same correctly engrossed.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: we, your Committee on Engrossed Bills, have had S. B. No. 367 carefully examined and compared, and find the same correctly engrossed.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1929.

Senate.

Hon. Barry Miller, President of the

Sir: we, your Committee on Engrossed Bills, have had S. B. No. 396 carefully examined and compared, and find the same correctly engrossed.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: we, your Committee on Engrossed Bills, have had S. B. No. 256 carefully examined and compared, and find the same correctly engrossed.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: we, your Committee on Engrossed Bills, have had S. B. No. 269 carefully examined and compared, and find the same correctly engrossed.

PARR, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, February 8, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was reported S. B. No. 263, A bill to be entitled: "An Act creating the State Labor and Industrial Commission of Texas to take over and be vested with the powers, duties, privileges, rights and functions of the Industrial Accident Board and the Industrial Commission of Texas and thus consolidating said Department into one Commission; abolishing the office of Commissioner of Labor Statistics and vesting his powers, duties, privileges, rights and functions in the labor member of the said State Labor and Industrial Commission of Texas, subject to his decisions and acts being appealed to the entire membership of said Board; abolishing said Industrial Accident Board and said Industrial Commission, prescribing the qualifications of said Commission created in this Act, fixing the salaries of the members of the said Commission; creating the position of Secretary of said Commission and abolishing the position of Secretary of the Industrial Accident Board; fixing the term and salary of said secretary; providing all things necessary and incidental to the main subject and purpose of this Act, whether mentioned in this caption or not, and declaring an emergency."

Have had the same under consider-

ation, and I am instructed to report it back to the Senate with the recommendation that the original bill do not pass but that the Committee substitute, with attached committee amendment, do pass in lieu thereof.

WIRTZ, Chairman.

Committee Amendment.

Amend the committee substitute of S. B. No. 263 by adding to Section one of said committee substitute an additional paragraph reading as follows:

"Said Commission shall appoint a Deputy Commissioner to whom may be assigned by said Board the duty of passing upon all noncontested claims before said Commission and all agreed settlements. And it shall be the duty of said Deputy Commissioner to carefully investigate the facts involved in all said noncontested claims and said agreed settlements and to see to it that same are in all things fair and just to all parties concerned. The salary of said Deputy Commissioner shall be \$3,600.00 per year, payable monthly.

Committee Room,

Austin, Texas, February 8, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 462, A bill to be entitled: "An Act authorizing the district attorney of the 72nd Judicial District to appoint one Assistant District Attorney for a term of two years; prescribing the qualifications and duties of such assistant; fixing said assistant's salary; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, February 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts to whom was referred

H. B. No. 231, A bill to be entitled "An Act amending Chapter 255 of the Acts of the 40th Legislature at its regular session, by providing that

the counties of Dawson and Howard shall be a part of the Eleventh Supreme Judicial District, and removing said counties from the Eighth Supreme Judicial District and providing for the appeal of cases from Dawson and Howard Counties to the Court of Civil Appeals of the Eighth prior to September 1, 1929, and for the appeal of cases from Dawson and Howard Counties to the court of Civil Appeals for the Eleventh Supreme Judicial District subsequent to September 1st, 1929."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1929.

Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on Judicial Districts to whom was referred H. B. No. 213, A bill to be entitled "An Act amending Section 1 of Chapter 22 of the Acts of the 40th Legislature, First Called Session, by changing the term and time of holding court in the county of Cochran in the 72nd Judicial District of Texas; and declaring an emergency."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

Committee Room,

Austin, Texas, Feb. 8, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred,

S. B. No. 446, A bill to be entitled "An Act extending oil and gas permits and combinations thereof issued on University lands that are valid and in good standing on the day this Act takes effect, and the terms of which will expire on or before December 31, 1929; and providing that the Act shall apply only where all rentals have been paid and only to those permits or combinations thereof under which a well has been drilled to a depth of four thousand feet or more, on or before February 1, 1929, and on which drilling oper-

ations for oil or gas are being actively conducted in good faith at the time this Act takes effect; and providing also that the owner of such permits or combinations thereof shall make sworn report to the Commissioner of the General Land Office within thirty days after this Act becomes effective, showing what drilling operations have been conducted, and showing that the well being drilled on the premises had been drilled to a depth of four thousand feet or more on February 1, 1929; and fully defining the conditions under which such permits or combinations thereof shall be extended, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred,

S. B. No. 452, A bill to be entitled "An Act to relinquish, quit-claim and dedicate to all incorporated cities and towns the beds, banks and abandoned beds, banks and land adjacent to rivers and streams reserved to the State for the purposes of removing therefrom menaces to public health and beautifying same for park and other purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred,

H. B. No. 358. A bill to be entitled "An Act to amend Subdivision 38 of Article 199, Title 8, Revised Statutes of 1925, and providing for changing and prescribing terms and times for holding the courts in the counties composing the Thirty-eighth Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them

returnable to the terms of courts in the several counties as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under this Act; to repeal all laws and parts of laws in conflict herewith, and providing the time for this Act to take effect."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

Committee Room,
Austin, Texas, Jan. 9, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred,

S. B. No. 483, A bill to be entitled "An Act creating a special road law for Cherokee County, Texas, requiring surety bonds of road overseers, containing provision that said County may fund the legal indebtedness against its road and bridge fund, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 7,

"Proposing an amendment to Section 5 of Article 4 of the Constitution of the State of Texas fixing the salary of the Governor; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor,"

Have had the same under consideration and I am instructed to report it back to the Senate that it has been amended by the Committee to change the figures "\$10,000.00," where they appear in the Resolution, to \$12,000.00. And, to change the date of the election from July 16, 1929, to the Fourth Saturday in July, 1930.

HORNSBY, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1929.
Hon. Barry Miller, President of the
Senate:

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 19, by Woodward, Hornsby and DeBerry,

"Proposing an amendment to Section 5 of Article 3 of the Constitution of the State of Texas fixing the terms for convening the Legislature of the State of Texas, providing that the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing * * * *

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

HORNSBY, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

S. B. No. 342, A bill to be entitled "An Act relating to the State Prison System; increasing the duties, powers and functions of the Texas Prison Board; providing for the reorganization of the Prison System; making provision for the sale of the prison farms and the centralization of the Texas Prison System; providing for a Board for the valuation and sale of the present prison properties; and for a Board for the selection of the location for the centralization of the System; providing for power in the State Board of Control to buy supplies, produce and manufactured articles from the State Prison System for use by the State; and providing for the establishment of a Prison Reformatory within the Texas Prison System for young, short-term prisoners; making an appropriation to be used in carrying out this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that the same do not pass, but that the substitute for said bill as amended do pass in lieu thereof.

McFARLANE, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1929.
Hon. Barry Miller, President of the
Senate:

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 477, A bill to be entitled "An Act defining aircraft, public and civil, airman and providing that in interest of public safety and desirability of uniform regulation and in interest of aeronautical progress, that aircraft operating within this State should conform with respect to design, construction and air-worthiness to the standards prescribed by the United States Government, and making it unlawful for the navigation of aircraft within this State whether for commercial, pleasure or noncommercial purposes, unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force; providing further that no person shall serve as an airman in connection with any civil aircraft when such aircraft is flown or operated in this State until he shall have obtained a license under the provisions of the Federal Air Commerce Act of 1926 and amendments thereto and the Air Commerce Regulations and Air Traffic Rules issued pursuant thereto; and providing that the certificate of the license herein required shall be kept in the personal possession of the licensee while operating civil aircraft flown or operated in the State, and that same must be presented for inspection upon demand of any passenger, peace officer of this State, or any official, manager or person in charge of any airport or landing field in this State upon which said licensee shall land or perform any service; providing that this Act shall not apply to public aircraft owned by the Government of the United States or by this State; and providing for penalties for navigation of any civil aircraft within this State without an airman's license, and serving as an airman in connection with any civil aircraft flown or operated within the State without an airman's license; providing other matters and other things necessary and incidental to the main purpose and subject to this Act; whether mentioned in this cap-

tion in detail or not; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

POLLARD, Chairman.

By Pollard, Hyer, S. B. No. 477
Parrish

A BILL

To Be Entitled

A Act defining aircraft, public and civil airman and providing that in interest of public safety and desirability of uniform regulation and in interest of aeronautical progress, that aircraft operating within this State should conform with respect to design, construction and airworthiness to the standards prescribed by the United States Government, and making it unlawful for the navigation of aircraft within this State whether for commercial, pleasure or noncommercial purposes, unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force; providing further that no person shall serve as an airman in connection with any civil aircraft when such aircraft is flown or operated in this State until he shall have obtained a license under the provisions of the Federal Air Commerce Act of 1926 and amendments thereto and the Air Commerce Regulations and Air Traffic Rules issued pursuant thereto; and providing that the certificate of the license herein required shall be kept in the personal possession of the licensee while operating civil aircraft flown or operated in the State, and that same must be presented for inspection upon demand of any passenger, peace officer of this State, or any official, manager or person in charge of any airport or landing field in this State upon which said licensee shall land or perform any service; providing that this Act shall not apply to public aircraft owned by the Government of the United States or by this State; and providing for penalties for navigation of any civil aircraft within this State without an airman's license, and serving as an airman

in connection with any civil aircraft flown or operated within the State without an airman's license; providing other matters and other things necessary and incidental to the main purpose and subject to this Act, whether mentioned in this caption in detail or not; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In this Act "aircraft" means any contrivance now known or hereafter invented, used or designated for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment. The term "public aircraft" means any aircraft used exclusively in the Federal governmental service or the State governmental service. The term "civil aircraft" means any aircraft other than public aircraft. The term "airman" means any individual (including the person in command and any pilot, mechanic, or member of the crew) who engages in the navigation of aircraft while under way and any individual who is in charge of the inspection, overhauling, or repairing of aircraft.

Sec. 2. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this State should conform with respect to design, construction, and airworthiness to the standards prescribed by the United States Government with respect to navigation of aircraft subject to its jurisdiction, it shall be unlawful for any person to navigate an aircraft within the State, whether for commercial, pleasure or noncommercial purposes, unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force.

Sec. 3. No person shall serve as an airman in connection with any civil aircraft when such aircraft is flown or operated in this State until he shall have obtained a license under the provisions of the Federal Air Commerce Act of 1926 and amendments thereto and the Air Commerce Regulations and Air Traffic Rules issued pursuant thereto.

Sec. 4. The certificate of the license herein required shall be kept in the personal possession of the licensee when he is operating aircraft within this State, or serving in connection with any civil aircraft flown or operated in this State, and must be presented for inspection upon the demand of any passenger, any peace officer of this State, or any official, manager, or person in charge of any airport or landing field in this State upon which he shall land or perform any service.

Sec. 5. The provisions of this Act shall not apply to any public aircraft owned by the Government of the United States or by this State.

Sec. 6. Any person who navigates within this State any civil aircraft without an airman's license, or who serves as an airman in connection with any civil aircraft flown or operated within this State, without an airman's license issued in accordance with the provisions of the Air Commerce Act of 1926 and amendments thereto, shall be guilty of a misdemeanor and punishable by a fine of not more than \$500.00 nor less than \$100.00 or by imprisonment in the county jail for not more than six months nor less than thirty days, or both; provided, however, that acts or omissions made unlawful by this article shall not be deemed to include any act or omission which violated the law or lawful regulations of the United States; but it shall not be necessary to allege or prove, as part of the case of the State, that the defendant is not amenable, on account of the alleged violation, to prosecution under the laws of the United States. That he is amenable to such prosecution shall be matter of defense, unless it affirmatively appear from the evidence adduced by the State.

Sec. 7. If any section, clause or provision of this Act is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the application of such provision to this persons and circumstances shall not be affected thereby.

Sec. 8. The fact that the Air Commerce Act of 1926, in the matter of regulating civil aeronautics, does not require intrastate operators and aircraft to be registered and licensed, and the fact that public safety re-

quires and the advantages of uniform regulations make it desirable in the interest of aeronautical progress that aircraft operating within this State should conform with respect to design, construction, airworthiness, as well as the licensing of airmen, to the lawful rules and regulations of the United States Government, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each House be suspended, and that this be placed upon its third reading and final passage and take effect from and after its passage, it is so enacted.

TWENTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,

Monday, February 11, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Absent—Excused.

Love.	Neal.
Miller.	Wirtz.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)